

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

WESTERN SECTION  
CIVIL ACTION  
NO.: 04-30035-KPN

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KEVIN BALENO and PATRICIA  
SCUTARI,

Plaintiffs

v.

OFFICER CHARLES RICKO,  
CHIEF EDWARD CHASE,  
and the TOWN OF WENDELL,

Defendants

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PLAINTIFFS' EMERGENCY MOTION TO CONTINUE THE SCHEDULING  
CONFERENCE UNTIL SEPTEMBER 15, 2004

The plaintiffs respectfully request the court to continue the Scheduling Conference in the above encaptioned case until September 15, 2004, for the following reasons: Counsel for the plaintiffs has recently been diagnosed with adult-onset diabetics. (See Carrithers' Affidavit, ¶ 2.) Her current symptoms severely restrict the number of hours that she is able to work on any given days. (See Carrithers' Affidavit, ¶ 3.) She is scheduled for a series of test which will, hopefully, reveal how to alleviate her current symptoms. (See Carrithers' Affidavit, ¶ 4.) However, until these tests are run, she is forced to focus only on those cases which require immediate attention. Since there are no immediate issues to be resolved in the above encaptioned case, no party will be prejudiced by a two month delay in scheduling discovery. Therefore, the plaintiffs respectfully request that the court allow their motion.

DATED: July 12, 2004

Respectfully Submitted  
The Plaintiffs  
By their attorney

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Caroline Carrithers

**CERTIFICATE OF SERVICE**

This will certify that this document was served upon counsel for defendants Jonathan R. Silverstein, Kopelman & Paige, PC, 31 St. James Avenue, 7<sup>th</sup>. Floor, Boston, Massachusetts 02116, by first class mail on July 12, 2004.

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Caroline Carrithers